

TESTIMONY OF JULIE BAUMER IN SUPPORT OF H.B. 4535

House Judiciary Committee, June 16, 2015

My name is Julie Baumer, and I wish to thank you for this opportunity to testify in support of House Bill 4536, the Wrongful Imprisonment Compensation Act. Hopefully, my testimony, as an exoneree who was once wrongly convicted and imprisoned for a crime that I did not commit, may be of help to you in understanding and considering the real-life human implications that underlie this bill.

In 2003, I was 27 years old, with a good job as a mortgage loan officer, looking forward to marriage, a family, and a whole life ahead of me. My younger sister, at the time unmarried, gave birth to a son whom she planned to give to adoption. With my family's blessing, I began legal proceedings to adopt the child myself.

My nephew was born prematurely after a prolonged and very difficult delivery, and needed to spend his first week in the hospital's neonatal intensive care unit. Six weeks later, when he was in my care, he suddenly became very ill. A doctor incorrectly determined that he was a victim of Shaken Baby Syndrome, and, as the person who had been caring for him, I was charged with first-degree child abuse.

I was shocked and devastated, but I was certain that the truth will come out and I would be acquitted because I loved him and had done everything right in caring for my soon-to-be-adopted son. However, my trial lawyer provided only a single expert witness whose specialty was not even qualified to read the CT scans of the baby's brain, and I was found guilty and sentenced to 10-15 years in prison.

After four and a half years in jail, my innocence was proved and the conviction was overturned, when my nephew was diagnosed with a form of childhood stroke. I was completely exonerated because there was never a crime of any kind committed, only a wrong medical diagnosis. So after four and half years in prison, I was suddenly back in the community.

But what could I do for housing or employment? My former job at the bank was not there anymore. Reconnecting with friends and even family proved difficult. My mother died two weeks after my exoneration; other nephews and nieces, with whom I had enjoyed a close "favorite aunt" relationship, were grown up and were obviously uncertain about what to think of their aunt's reappearance in the family after so long an absence, in jail, convicted of abusing a family member.

In short, I had to start over from scratch as an older single woman with nothing to show for my previous years of toil and effort. The missing years can never come back, they were critical years in building relationships, establishing a family, and acquiring a profession and building a career. Since my exoneration, I have been working hard in menial jobs and struggling unsuccessfully to pull myself up by my own. I have no family of my own, I have no career... not the future I always planned for. For no reason of mine, all of this was taken from me. Having received no help at all from the State, although I am not in jail anymore, the effects of my wrongful conviction continues to ruin my life and have an everlasting devastating effect.

Like most exonerees, there is no one I can sue for my wrongful conviction. The statute of limitations to sue my lawyer passed while I was still in prison, and I cannot sue the doctors who misdiagnosed my nephew's illness because they were treating him, not me. I am not asking for a handout. I am simply asking for a chance to file a claim to be compensated for the years that were taken from me in the name of the People of the State of Michigan.

Thank you for your time.